

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) CE11014J
I hereby certify that this correspondence is being electronically transmitted on the date listed below [(37 CFR 1.8(a))]. on: <u>May 15, 2008</u> Signature <u>/Silvana Wiltshire/</u> <u>Silvana Wiltshire</u> Typed or printed name	Application Number 10/722,755 First Named Inventor Ariel Rudolph Art Unit 2626	Filed November 26, 2003 Examiner Opsasnick, Michael N
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheets(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> applicant inventor. </div> <div style="width: 45%;"> <u>/Larry G. Brown/</u> Signature </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) </div> <div style="width: 45%;"> <u>Larry G. Brown</u> Typed or printed name </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> attorney or agent of record. Registraton number <u>45,834</u> </div> <div style="width: 45%;"> <u>(954) 723-6449</u> Telephone number </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34: _____ </div> <div style="width: 45%;"> <u>May 15, 2008</u> Date </div> </div>		
<p>NOTE: Signatures of all the inventors or assignees or record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, se below*</p>		
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.		

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ariel Rudolph GROUP ART UNIT: 2626
APPLN. NO.: 10/722,755 EXAMINER: Opsasnick, Michael N
FILED: November 26, 2003 Confirmation No. 7291
TITLE: SYSTEM AND METHOD FOR PROVIDING A TRANSLATIONAL
DICTIONARY

CERTIFICATE UNDER 37 CFR 1.8(a)	
I hereby certify that this correspondence is being electronically transmitted on the date listed below:	
Date:	May 15, 2008
Signature	/Silvana Wiltshire/
Typed or printed name:	Silvana Wiltshire

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Mail Stop: **AF**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests review of the Final Office Action mailed December 19, 2007, relating to the above-identified application in furtherance of the Notice of Appeal filed on May 15, 2008.

Concurrent with this submission, Applicant is paying the requisite fee for a two-month Extension of Time.

Claims 1-16 are pending in the application. The latest version of the claims can be found in Applicant's Response of October 15, 2007. In the Office Action, claims 8 and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by

U.S. Patent No. 6,308,087 to Aoshima (Aoshima). Claims 1-7 and 9-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Aoshima in view of U.S. Patent No. 6,996,520 to Levin (Levin).

Independent Claims 1, 8, 9 and 16

Each of independent claims 1, 8, 9 and 16 include the limitation that a signal received at a communications device from a network is a control signal that allows the communications device to synchronize to the network and that in response to receiving this control signal, a target language can be recognized.

In contrast, Aoshima teaches a message receiving method that comprises the steps of judging whether a native language is used in a received message and translating the received message into the native language when it is determined that the native language is not used in the received message (see col. 2, lines 40-45). Aoshima categorizes such a received message as an information message or a personal message (see col. 4, lines 48-50). Exemplary information messages include weathercast information messages, traffic information messages, and sightseeing guide information messages (see col. 4, lines 50-53), and a personal message is defined as an ordinary message transmitted from a person to another person (col. 4, lines 53-54). Clearly, the received messages described in Aoshima are not control signals used to allow a communications device to synchronize to a network, as claimed by Applicant.

Because it relies of network control signals, the claimed subject matter of the present application permits translational dictionaries to be accessed almost as soon as the communications device registers with a network located in a country

that potentially uses a language different from the primary language of the owner of the device. In Aoshima, however, a user must wait for the receipt of a personal or informational message before any translation, and hence any access to a translated word data memory, may occur.

Turning to Levin, that reference teaches the translation of input text from a source language to a target language. Levin states that the input text can be an electronic file or text entered by a user (see col. 14, lines 15-17), and that the source language can be determined using character recognition techniques on the input text (col. 14, lines 18-20). Levin never describes the determination of a source language from a control signal used to allow a communications device to synchronize to a network.

Conclusion

In view of the above, Applicant contends that the claims are patentable over the cited prior art references. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

Date: May 15, 2008

By: /Larry G. Brown/

SEND CORRESPONDENCE TO:

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